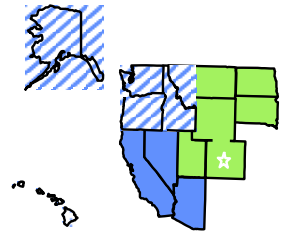




US Army Environmental Center  
Western Regional Environmental Office  
REGION 8 – OCTOBER 2003  
**WESTERN REGION REVIEW**



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting DOD activities & operations in the Federal Region 8 area: Colorado, Montana, North Dakota, South Dakota, Utah, & Wyoming. We appreciate your feedback. Please contact WREO, U.S. Custom House, 721 19<sup>th</sup> St., Room 427, Denver, CO 80202-2500; Phone: (303) 844- 0954, or fax: (303) 844-0951.

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**E-mail Subscriptions to WREO Monthly Reviews**

The Monthly Western Regional Reviews are available by e-mail distribution. If you would like to receive the Review in electronic format each month, please e-mail:

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Past issues of the Regional Reviews are available at <http://aec.army.mil> under "Regional Offices."

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## FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



### ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

#### AIR INFORMATION:

**PROPOSED RULE – MOBILE SOURCE REVISIONS TO REGIONAL HAZE RULE** – On 9 September 2003 (68 FR 53081), EPA announced a public hearing on a notice of proposed rulemaking (68 FR 39888) related to the mobile source provisions in 40 CFR 51.309 of EPA's regional haze rule. EPA published both a direct final rule and a concurrent notice of proposed rulemaking to amend and revise certain provisions of the regional haze rule in order to address an emissions projection scenario for mobile sources that was not addressed when EPA published the regional haze rule in 1999. The hearing will be held from 9 a.m. to 12 p.m. (MST) on 8 October 2003, at EPA-Region 8, 999 18th Street, 2nd Floor Conference Center-Columbine Room, Denver, CO. For further information, contact Kathy Kaufman, EPA at (919) 541-0102, or e-mail: [kaufman.kathy@epa.gov](mailto:kaufman.kathy@epa.gov).

**NOTICE OF AVAILABILITY – STATE 8-HOUR OZONE DESIGNATION RECOMMENDATIONS** – On 8 September 2003 (68 FR 52933), EPA gave notice that it had posted State and Tribal 8-hour Ozone Air Quality Designation Recommendations on the web as they have been received. The recommendations are available for public inspection at EPA's Web site at: <http://www.epa.gov/oar/oaqps/glo/designations/>. For further information, contact Sharon Reinders, EPA at (919) 541-5284.

#### WASTE INFORMATION:

**NOTICE OF AVAILABILITY – COMPENDIUM OF FEDERAL FACILITIES CLEANUP MANAGEMENT** – EPA's Federal Facilities Restoration and Reuse Office has produced this document. The compendium assembles all the major policy and guidance documents produced by EPA, DOD and DOE related to restoration of federal facilities. It contains three volumes: 1) Federal Facility Cleanup Response; 2) Base Realignment and Closure; and 3) Enforcement. The document is available at: <http://epa.gov/swerffrr/documents/ffcc.htm>.

**UPDATE – REMEDIATION AND CHARACTERIZATION INNOVATIVE TECHNOLOGIES** – EPA has updated its Remediation and Characterization Innovative Technologies (REACHIT) database to provide more current and accessible information on cleanup and characterization technologies. REACHIT provides data on technology applications that can be searched, downloaded, and printed, and is free to both technology providers and users. REACHIT was updated with more than 100 new technologies added, most of which address difficult remediation problems, including chlorinated solvents, fractured rock, and low-permeability clays. To access REACHIT, link: <http://www.epareachit.org>.

#### WATER INFORMATION:

**PROPOSED RULE – EFFLUENT LIMITATIONS GUIDELINES, PRETREATMENT STANDARDS, AND NEW SOURCE PERFORMANCE STANDARDS FOR CENTRALIZED WASTE TREATMENT** – On 10 September 2003 (68 FR 53431), EPA proposed to amend its wastewater regulation for the Centralized Waste Treatment Point Source Category. This regulation established effluent limitations guidelines, pretreatment standards and new source performance standards under the Clean Water Act

for the centralized waste treatment industry. The amendments would delete certain selenium limitations and standards from the Metals Treatment and Recovery subcategory, as well as the the Multiple Wastestreams subcategory. This action would also delete the barium, molybdenum, antimony, and titanium limitations and standards from the Oils Treatment and Recovery subcategory, and would increase the maximum monthly average BOD<sub>5</sub> limitation for directly discharging facilities subject to a section of the Multiple Wastestreams subcategory. Comments are due by 10 October 2003. For further information, contact Elwood Forsht, EPA at (202) 566-1025.

#### **NOTICE OF AVAILABILITY – STRATEGY FOR WATER QUALITY STANDARDS AND CRITERIA –**

EPA's Office of Science and Technology has released a document titled: "Strategy for Water Quality Standards and Criteria: Setting Priorities to Strengthen the Foundation for Protecting and restoring the Nation's Waters." This document outlines the priority strategic actions that EPA plans to undertake over the next six years to strengthen the vital foundation for a wide range of programs under the Clean Water Act. The Strategy reflects an extensive review of water-related mandates; the results of over 50 listening sessions with over 350 people; and recommendations from the National Research Council, the General Accounting Office, and EPA's Inspector General. For more information, link: <http://www.epa.gov/waterscience/standards/strategy/>.



#### **GENERAL INFORMATION**

**PROPOSED RULE – DOD MUNITIONS RESPONSE SITE PRIORITIZATION PROTOCOL** – On 22 August 2003 (68 FR 50899), DoD proposed a rule that establishes the Munitions Response Site Prioritization Protocol. The purpose of the Protocol is to assign a relative priority for munitions responses to each location in the inventory of munitions response sites known or suspected of containing unexploded ordnance, discarded military munitions, or munitions constituents. The Protocol evaluates the following potential explosive safety and environmental hazards: 1) explosive hazards posed by unexploded ordnance and discarded military munitions; 2) hazards associated with the effects of chemical warfare materiel; and 3) chronic health and environmental hazards posed by munitions constituents or other chemical constituents. The Protocol has three hazard evaluation modules, each of which is specific to one type of hazard. Comments are due by 20 November 2003. For further information, contact the Office of the Deputy Under Secretary of Defense at (703) 695-6107.

**WITHDRAWAL OF PROPOSED RULE - LISTING OF MOUNTAIN PLOVER AS THREATENED** – On 9 September 2003 (68 FR 53083), the Fish and Wildlife Service (FWS) determined that listing the mountain plover (*Charadrius montanus*) as threatened, pursuant to the Endangered Species Act, is not warranted, and withdrew its proposed rule. FWS made this determination because threats to the species as identified in the proposed rule are not as significant as earlier believed, and current available data do not indicate that the threats to the species and its habitat are likely to endanger the species in the foreseeable future throughout all or a significant portion of its range. For further information, contact Allan Pfister, FWS at (970) 243-2778.

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## UPCOMING CONFERENCES, SYMPOSIUMS AND TRAINING ANNOUNCEMENTS

### CERCLA ORIENTATION AND REMEDIAL INVESTIGATION/FEASIBILITY STUDY

**14-16 October 2003 – Richland, Washington**

The Resource Training Institute (RTI) is offering this course for personnel that have little or no experience in the basic background and implementation of CERCLA. Participants are provided with an in-depth review of the Remedial Investigation/Feasibility Study (RI/FS) process as it applies to environmental restoration programs. Following an overview of the CERCLA Process, the course focuses on the RI/FS process and addresses site characterization, risk assessment, and remedy selection issues. Attention is also given to public involvement in the cleanup process. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

### AMERICAN INDIAN CULTURAL COMMUNICATIONS COURSE

**21-23 October 2003 – Buffalo, New York**

DoD is sponsoring this course at the Naval-Marine Corps Reserve Center. The course is designed to present DoD/American Indian/Alaska Native Policy and its implementation at installations. It will be taught primarily by American Indian trainers, with some segments taught by DoD and regional American Indian participants. The topics include: History of Indian Laws and Legal Base for DoD Policy, Federal Laws and Policies Impacting DoD Relationships with Indian Tribes, Introduction to Tribal Concepts and Culture, Cross-Cultural Communication, Strategies for Consulting with Tribes, and Skills for Managing Conflict. There is no registration fee for DoD/federal employees, including contractors. For more information or to register, contact Dr. Donata Renfrow at (678) 357-6513, or e-mail: [donata@mindspring.com](mailto:donata@mindspring.com).

### APPLIED CLEAN AIR ACT

**21-23 October 2003 – Las Vegas, Nevada**

**16-18 December 2003 – Orlando, Florida**

RTI is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act (CAA). The course provides detailed information on all facets of the CAA and the 1990 Amendments. It covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

### ENVIRONMENTAL LAWS AND REGULATIONS

**21-23 October 2003 – Albuquerque, New Mexico**

**18-20 December 2003 – Richland, Washington**

RTI is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

### BROWNFIELDS 2003 CONFERENCE

**27-29 October 2003 – Portland, Oregon**

EPA is sponsoring this conference on brownfields cleanup and reuse. The conference will include panel sessions, mobile workshops, "Marketplace of Ideas" roundtable discussions, and individual poster presentations. For further information, link: <http://www.epa.gov/brownfields>.

**INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOPS****27-29 October 2003 – Ft. Richardson, Alaska****3-5 November 2003 – Ft. Wainwright, Alaska****24-26 February 2004 – Seattle, Washington****27-29 April 2004 – Honolulu, Hawaii**

The Army Center for Health Promotion and Preventative Medicine is presenting these workshops to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register link: <http://chppm-www.apgea.army.mil/risk>.

**UXO BASIC TRAINING COURSE****28-29 October 2003 – Austin, Texas**

The Interstate Technology and Regulatory Council (ITRC) is co-sponsoring this course with EPA and the Texas Commission on Environmental Quality. This is an entry-level course designed to provide an overview of key environmental issues associated with ordnance and explosives cleanup. Participants will be introduced to basic terminology, munitions identification, safety concerns, regulatory requirements, conventional and innovative technology, site investigation, and site remediation. For more information or to register, contact Eileen O'Toole at (540) 557-6007, or link to the ITRC web site: <http://www.itrcweb.org>.

**LOW-IMPACT DEVELOPMENT WORKSHOP****28-30 October 2003 – Fort Lewis, Washington**

The Army Environmental Center and Fort Lewis are sponsoring this free workshop, which will examine administrative and policy-related aspects of implementing low-impact development in construction, renovation, and landscaping projects. The workshop will involve engineers, planners, and environmental managers in a practical site assessment and design exercise. For more information, call (253) 967-2326. To register, call (253) 966-1795.

**ENGAGING THE MEDIA WORKSHOPS****30-31 October 2003 – Ft. Richardson, Alaska****6-7 November 2003 – Ft. Wainwright, Alaska**

The Army Center for Health Promotion and Preventative Medicine is presenting these workshops to provide participants with an understanding of the unique nature of the media, as well as hands-on practice of skills and tools to engage the media successfully. The workshop includes discussions on relating media communications to your strategic risk communication planning process, media culture, common traps, and the importance of non-verbal communication when dealing with the media. All participants will have the opportunity for on-camera practice and critique in a variety of situations, including non-crisis, crisis, "ambush," and panel interviews. For more information or to register, link: <http://chppm-www.apgea.army.mil/>.

**HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE****4-6 November 2003 – Portsmouth, New Hampshire****24-26 February 2004 – Jacksonville, Florida****20-22 April 2004 – San Antonio, Texas****20-22 July 2004 – Annapolis, Maryland**

This course emphasizes legal compliance with the National Historic Preservation Act Section 106 process using actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes: the stewardship role; use of historic properties; and communications with related oversight agencies. For more information or to register, link: <https://www.cecos.navy.mil>.



**“AN ORGANIZATIONAL GUIDE TO POLLUTION PREVENTION” WORKSHOP****4-6 November 2003 – Dallas, Texas****9-11 December 2003 – Philadelphia, Pennsylvania**

EPA is hosting this workshop to help organizations get P2 programs started or to reevaluate existing P2 programs. The guide presents an alternative method for working P2 projects and plans, and four approaches to implementing P2 and environmental planning within an organization. There is no registration fee for the workshop. For further information, visit the workshop website at:

[www.epa.gov/ttnrmrl/p2workshop.htm](http://www.epa.gov/ttnrmrl/p2workshop.htm).

**EMERGENCY PREPAREDNESS AND PREVENTION CONFERENCE****16-19 November 2003 – Norfolk, Virginia**

The theme of this EPA conference is “Stay the Course,” and will emphasize the importance of continued diligence and focus on emergency planning and preparedness efforts. The conference will include workshops, general sessions, networking opportunities, and an exhibit hall. For more information or to register, link: <http://www.2003conference.org>.

**NREP/INSTEP ANNUAL TECHNICAL CONFERENCE****17-21 November 2003 – Orlando, Florida**

The National Registry of Environmental Professionals and the International Society of Technical and Environmental Professionals are co-sponsoring this conference. The agenda includes certification preparatory workshops, technical papers, and special seminars for updating professional skills. For more information or to register, link: <http://www.nrep.org/conference/conference2.html>.

**CLEANUP SITE CLOSURE: REGULATORY & ADMINISTRATIVE ACTIVITIES****2-3 December 2003 – Richland, Washington****17-18 February 2004 – Idaho Falls, Idaho**

RTI is offering this course for personnel who are involved in the planning and implementation of closure and post-closure activities at hazardous and mixed waste management facilities or environmental restoration projects. The course will provide an overview of RCRA requirements for landfills, storage pads, and contaminated areas. It will also cover effective ways to plan for the integration of closure among units regulated under different programs. For more information or to register, call (803) 652-8830, or link <http://www.rti.org>.

**PARTNERS IN ENVIRONMENTAL TECHNOLOGY SYMPOSIUM****2-4 December 2003 – Washington, DC**

The Strategic Environmental Research and Development Program and the Environmental Security Certification Program are hosting this symposium and workshop with the theme: “Meeting DoD’s Environmental Challenges.” A major focus will be sustainability of military testing and training ranges. The symposium will offer 12 technical sessions that highlight proven technologies, as well as technologies needed to address emerging environmental challenges. For more information, link: <http://www.serdp.org/news/ESA4c.pdf>.

**CONFERENCE ON SUSTAINABLE RANGE MANAGEMENT****5-8 January 2004 – New Orleans, Louisiana**

Battelle is organizing this conference to provide a venue for exchange of information benefiting all stakeholders involved with range management issues. The technical programs will include urban growth and encroachment issues, management of airspace, noise abatement issues, air quality management, threatened and endangered species habitat protection, military munitions response program, and cleanup of munitions and explosives of concern. For more information, link: <http://www.battelle.org/rangecon>.

**ADVANCED RISK COMMUNICATION WORKSHOP****13-15 January 2004 – San Diego, California****2-5 August 2004 – Salt Lake City, Utah**

The Army Center for Health Promotion and Preventative Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization’s mission. The workshop builds on the “Introductory Health Risk Communication Workshop”

listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of “hot” issues impacting military health and readiness. There is no registration fee. For more information or to register, link: <http://chppm-www.apgea.army.mil/risk>.

### **NATURAL RESOURCES COMPLIANCE**

**27-30 January 2004 – San Antonio, Texas**

**22-25 June 2004 – Aberdeen, Maryland**

This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. It addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This is an Inter-service Environmental Education Review Board (ISEERB approved) course. For more information or to register, link: <https://www.cecos.navy.mil>.

### **INTRODUCTION TO CULTURAL RESOURCE MANAGEMENT LAWS AND REGULATIONS**

**16-18 March 2004 – New Orleans, Louisiana**

**17-19 August 2004 – Bangor, Maine**

This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Inter-service Environmental Education Review Board (ISEERB). For more information or to register, link: <https://www.cecos.navy.mil>.

### **NATIONAL ENVIRONMENTAL ASSISTANCE SUMMIT**

**19-22 April 2004 – Baltimore, Maryland**

EPA has announced the merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. This summit, titled “One Environment/One Conference,” will cover advances and innovations in environmental issues and solutions, pollution prevention, and compliance assistance programs, methods, technologies and environmental policies. For more information, call (202) 299-9701, or link: <http://www.p2.org/summit2004/>.

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## STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



## COLORADO

### AIR INFORMATION:

**FINAL REGULATION – MACT STANDARDS** – The Colorado Department of Public Health and Environment (CDPHE) has adopted revisions to Regulation 8, Part A and E - MACT Standards to incorporate by reference revisions to the federal program. The revisions were effective 30 August 2003. For more information, contact Douglas Lempke at (303) 692-3478.

**FINAL REGULATION – REVISION OF DENVER CARBON MONOXIDE MAINTENANCE PLAN** – CDPHE has adopted revisions to the EPA-approved carbon monoxide maintenance plan for the Denver area. The revisions include the adoption of new carbon monoxide emission budgets developed with EPA's MOBILE6 model. These emission budgets replace previously adopted emission budgets that were developed with the MOBILE5b model. In addition, CDPHE revised the Ambient Standards regulation (5 CCR 1001-14) to reflect the changes to the emission budget. The revisions were effective 30 August 2003. For more information, contact Douglas Lempke at (303) 692-3478.

**FINAL APPROVAL – DRCOG REVISED PLAN FOR TRANSPORTATION CONFORMITY** – CDPHE has approved the revised Denver Regional Council of Governments (DRCOG) transportation conformity analysis conducted on its 2025 Long Range Transportation Plan and its 2003 -2008 Transportation Improvement Program. DRCOG has added transportation projects to the plan and conducted a new air quality conformity analysis for the additional projects. The revised conformity analysis was approved on 21 August 2003. For more information, contact Douglas Lempke at (303) 692-3478.

**PROPOSED REGULATION – REVISIONS TO OPEN BURNING, PRESCRIBED FIRE, AND PERMITTING FEES** – CDPHE has proposed revisions to Regulation Number 9 - Open Burning, Prescribed Fire & Permitting. The revisions to the fee section of the rule would change the calculation method for fees. The revisions would also eliminate the provisions that automatically cause a permit to expire based on the amount of fuel consumed under the permit, and would add provisions for the use of air curtain destructors exclusively for the burning of wood. CDPHE will hold a public hearing 18 December 2003. For more information, contact Douglas Lempke at (303) 692-3478.

**PROPOSED REGULATION – VEHICLE EMISSIONS TESTING PROGRAM** – CDPHE has proposed to revise the applicability date of scheduled changes to the vehicle emission limitations for 1996 and newer model year vehicles. CDPHE proposed to not implement vehicle emission limitations established in the regulation that were determined under the analysis of the program using the MOBILE5b model. CDPHE has proposed waiting until the analysis of the program is conducted under the MOBILE6 model to make further emission "cut point" modifications. CDPHE will hold a public hearing 18 December 2003. For more information, contact Douglas Lempke at (303) 692-3478.

**PROPOSED REGULATION – REVISIONS FOR VOLATILE ORGANIC COMPOUNDS** – CDPHE has proposed revisions to Regulation # 7, Emissions of Volatile Organic Compounds. The revisions repeal a five ton per day de minimis exemption level that was adopted with the Denver Ozone Maintenance Plan, and repeal or revise alternative compliance plan provisions that were adopted with the Plan. CDPHE will



hold a public hearing 20 November 2003. Written comments are due by 6 November. For more information, contact Douglas Lempke at (303) 692-3478.

**ASBESTOS AIR MONITORING SPECIALIST WORKSHOPS – 10 October and 17 November 2003 –**

The Asbestos Unit of the Colorado Air Pollution Control Division will conduct two identical Air Monitoring Specialist Workshops from 1:00 p.m. to 5:00 p.m. The 10 October 2003 workshop will be held at the Laboratory Services' training room in CDPHE's Laboratory Services building at 8100 Lowry Boulevard in Denver. The 17 November 2003 training will be held in the Sabin/Cleere Conference Room in CDPHE's Building "A" at 4300 Cherry Creek Drive South in Denver. The workshops will cover the following topics: 1) The Visual Inspection Process; 2) Final Air Sampling Protocols; 3) Spill Investigation Techniques; 4) AMS Certification Requirements; 5) The AMS Test; and 6) Common Pitfalls. For more information or to register, contact Bob Johannes at (303) 692-3169.

**WATER INFORMATION:****DEPARTMENTAL DISCUSSION – 2004 303 (d) LIST OF IMPAIRED WATERS AND LISTING**

**CRITERIA** – CDPHE has approved listing methodology for the 2004 303(d) list of impaired waters. CDPHE plans to propose the list for public comment in December 2003 and hopes to approve the list in March 2004, since it must be submitted to EPA by 1 April 2004. Tim Blume, Army REC Region 8, is participating on the stakeholder workgroup to develop the proposed list. For more information, contact Tim at (303) 844-0958, or Phil Hegeman, CDPHE at (303) 692-3500.

**Legislative Developments**

The 2003 legislative session began 8 January and ended 7 May. A summary of the significant environmental legislation that was enacted and signed was included in the July Review. For more information on the legislative session, link [http://www.state.co.us/gov\\_dir/stateleg.htm](http://www.state.co.us/gov_dir/stateleg.htm).

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## MONTANA

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### Regulatory Developments & Other State Information

No significant regulatory activity to report.

### Legislative Developments

The 2003 legislative session began 6 January and ended 26 April. A summary of significant environmental bills that were enacted and signed was included in the June Review. For more information on the legislative session, link <http://www.leg.state.mt.us>.



## NORTH DAKOTA

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### AIR INFORMATION:

**DIRECT FINAL RULE – APPROVAL OF REVISION TO OPERATING PERMIT PROGRAM** – On 17 September 2003 (68 FR 54374), EPA took direct final action to approve an amendment to North Dakota's Title V air operating permits program. The amendment revised the definition of "major source" in the State's operating permit regulations. This direct final rule will be effective on 17 November 2003, without further notice, unless EPA receives adverse written comments by 17 October 2003. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the Federal Register and inform the public that the rule will not take effect. For further information, contact Kathleen Paser, EPA at (303) 312-6526.

**DIRECT FINAL RULE – APPROVAL OF SOLID WASTE INCINERATOR PLAN** – On 17 September 2003 (68 FR 54369), EPA took direct final action to approve North Dakota's commercial and industrial solid waste incinerator plan. The plan establishes emission limits, and monitoring, operating, and recordkeeping requirements for commercial and industrial solid waste incinerator units that commenced construction on or before 30 November 1999. This direct final rule will be effective on 17 November 2003, without further notice, unless EPA receives adverse written comments by 17 October 2003. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the Federal Register and inform the public that the rule will not take effect. For further information, contact Kathleen Paser, EPA at (303) 312-6526.

### Legislative Developments

The 2003 legislative session began 7 January and ended 25 April. A summary of significant environmental bills that were enacted and signed was included in the June Review. For more information on the legislative session, link <http://www.state.nd.us/lr/>.



## SOUTH DAKOTA

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### AIR INFORMATION:

**FINAL REGULATION – ADOPTION OF FEDERAL AIR REGULATIONS** – The South Dakota Department of Environment and Natural Resources (DENR) has adopted amendments to the Administrative Rules of South Dakota, Article 74:36 - Air Pollution Control Program. The amendments adopt revised and new federal regulations to remain equivalent to the federal programs DENR implements in South Dakota. The new federal regulations include oil and natural gas production facilities, natural gas transmission and storage facilities, secondary aluminum production, publicly owned treatment works, solvent extraction for vegetable oil, paper and other web coating facilities, and municipal solid waste landfills. In addition, DENR adopted new sections to both the minor and Title V permit programs. The new sections identify what category of sources DENR can issue a general permit to and under what circumstances DENR may require a source applying for a general permit to get an individual permit. The amendments were effective 20 August 2003. For more information, contact Brian Gustafson at (605) 773-3151, or link: <http://www.state.sd.us/denr/DES/AirQuality/Regulations/proposedamend.htm>.

### WASTE INFORMATION:

**FINAL REGULATION – ADOPTION OF FEDERAL HAZARDOUS WASTE RULES** – The South Dakota DENR has adopted federal hazardous waste rules. The amendments include: (1) revisions to the Mixture and Derived-From Rule; (2) identification and listing of inorganic chemical manufacturing wastes; and (3) NESHAP for hazardous waste combustors. The rules were effective 20 August 2003. For more information, contact Carrie Jacobson at (605) 773-3186, or link: <http://legis.state.sd.us/rules/register/05272003.pdf>.

### Legislative Developments

The 2003 legislative session began 14 January and ended 24 March. A summary of significant environmental bills that were enacted and signed was included in the May Review. For more information on the legislative session, link <http://legis.state.sd.us/index.cfm>.



## UTAH

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### AIR INFORMATION:

**PROPOSED REGULATION – REGIONAL HAZE SIP** – The Utah DEQ has proposed to incorporate by reference a new State Implementation Plan (SIP) for regional haze. The SIP includes the strategies recommended in 1996 by the Grand Canyon Visibility Transport Commission to protect visibility in the 16 national parks and wilderness areas on the Colorado Plateau. These strategies include setting a declining regional cap to reduce emissions of sulfur dioxide from sources that emit 100 tons per year or more and a backstop market trading program to be triggered only if the cap is exceeded; adding an enhanced smoke management program to reduce emissions from prescribed fire; continued study of the effects of dust from paved and unpaved roads within and near the parks and wilderness areas; and tracking emissions from point, area, and mobile sources of all pollutants that contribute to visibility impairment. Comments are due by 31 October 2003. For more information, contact Jan Miller at (801) 536-4042, or link: <http://www.airquality.utah.gov/SIP/Regionalhazesip/regionalhaze.htm>.

**PROPOSED REGULATION – EMISSION STATEMENT INVENTORY** – The Utah DEQ has proposed to delete its rule for the emission statement inventory which is required for all areas that were not in attainment of the federal standard for ozone. Utah was declared in attainment of the standard in 1997, and has remained in attainment ever since. The rule is no longer federally required. Sources of volatile organic compounds and nitrogen oxides that are located in Davis, Salt Lake, Utah, and Weber Counties will no longer be required to submit special inventories every third year. Comments are due by 31 October 2003. For more information, contact Jan Miller at (801) 536-4042, or link: <http://rules.utah.gov/publicat/bulletin/2003/20031001/26650.htm>.

**PROPOSED REGULATION – INVENTORY RULE AMENDMENTS** – The Utah Department of Environmental Quality (DEQ) has proposed amendments to its Inventory Rules for air pollution sources. The amendments would adopt new federal reporting requirements and make changes to DEQ's Title V program. Comments are due by 31 October 2003. For more information, contact Jan Miller at (801) 536-4042, or link: <http://rules.utah.gov/publicat/bulletin/2003/20031001/26648.htm>.

### WATER INFORMATION:

**PROPOSED REGULATION – PUBLIC NOTIFICATION REQUIREMENTS** – The Utah DEQ has proposed to decrease the requirements public water systems must meet to notify the public regarding certain aspects of their Drinking Water Source Protection Plans. However, since public notification is an EPA requirement, DEQ has set 31 December 2004, as the deadline for satisfying this requirement. DEQ has added language to clarify that actual copies of documents, which verify implementation of land management strategies, are required to be submitted in the Record Keeping Section of Updated Drinking Water Source Protection Plans. Comments are due by 15 October 2003. For more information, contact Bob Lowe at (801) 536-4211, or link: <http://rules.utah.gov/publicat/bulletin/2003/20030915/26585.htm>.

### Legislative Developments

The 2003 legislative session began 20 January and ended 5 March. A summary of significant environmental bills that were enacted and signed was included in the May Review. For more information on the legislative session, link <http://www.le.state.ut.us/>.



## WYOMING

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### Regulatory Developments & Other State Information

**PROPOSED REGULATION – MILITARY MUNITIONS RULE** – On 8 September 2003, the Wyoming Water/Waste Advisory Board recommended adoption of the Military Munitions Rule. There are still several additional steps required before the State will adopt the rule. For more information, contact the WREO Regional Counsel at (303) 844-0955.

### WASTE INFORMATION:

**PROPOSED REGULATION – REVISIONS TO HAZARDOUS WASTE MANAGEMENT RULES AND REGULATIONS** – The Wyoming WWAB will consider proposed revisions to the State's Hazardous Waste Management Rules and Regulations at its 8 September 2003 meeting. In addition to the MMR, WWAB will consider elimination of certain provisions of the Hazardous Remediation Waste Management Requirement and a change regarding permit modifications for hazardous waste combustors. For more information, contact Marisa Lataday at (307) 777-7752, or link: <http://deq.state.wy.us/shwd/rules.asp>.

### Legislative Developments

The 2003 legislative session began 14 January and ended 6 March. A summary of significant environmental bills that were enacted and signed was included in the May Review. For more information on the legislative session, link <http://legisweb.state.wy.us>.

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